

## **REMARKS**

The Office Action dated October 17, 2008 has been considered by Applicant.

Enclosed is a Petition for Three-Month Extension of Time. Also, enclosed is a check in the amount of \$1110 to cover the Petition fee.

Claims 1 and 17 have been currently amended. Support for the amendments can be found in Applicant's specification on Pages 2-5, for example. Claims 2-15 are original claims. Claim 20 is new. Support for new claim 20 can be found in Applicant's specification at Pages 2, 3, 4 and 5, for example.

The drawings have been objected to under 37 CFR 1.83(a). Enclosed is replacement Figure 1 (Sheet 1 of 3). Also enclosed is a new Figure 3 (sheet 3 of 3). No new matter has been added. Support for the subject matter as shown in Figure 3 can be found in Applicant's specification Pages, 2-5, for example.

Claims 1-19 have been rejected under 35 U.S.C. §103(a) as being unpatentable over United States Patent No. 6233389 to Barton et al. Reconsideration of the rejection is respectfully requested.

Independent claim 1 has been currently amended to include a method of content presentation comprising the steps of: (a) creating a user preference profile for controlling a presentation rate of different content categories, the preference profile being in communication with a content indicator; (b) receiving a content signal from a content source; (c) deriving a content indicator from a content analysis of the content signal; and (c) automatically adjusting a presentation rate of the content signal according to the predefined preference profile in response to the content indicator.

Applicant sincerely believes that currently amended claim 1, along with dependent claims 2-16, is not taught or suggested in the '389 Barton patent and therefore respectfully requests reconsideration of the rejection.

The Barton '389 patent does teach or suggest Applicant's steps of creating a user preference profile for controlling the presentation rates of different content categories, the preference profile being in communication with a content indicator, and then automatically adjusting the presentation rate according to the predefined preference profile, and in response to the content indicator.

As Examiner Borromeo states, the Barton patent teaches that the user creates custom sequence of video outputs (See Page 4 of the latest Office Action).

In addition, the Barton '389 patent does not teach or suggest Applicant's step of automatically adjusting a presentation rate of the content signal according to the predefined preference profile and in response to the content indicator.

Applicant sincerely believes that currently amended claim 1, along with dependent claims 2-16, is not taught or suggested in the '389 Barton patent and therefore respectfully requests reconsideration of the rejection.

Independent claim 17 has been currently amended to include a controller for automatically adjusting a presentation rate of the content signal according to a user predefined preference profile and in response to the content indicator.

The Barton '389 patent does not teach or suggest a controller for automatically adjusting a presentation rate of the content signal according to a user predefined preference profile and in response to the content indicator.

Therefore, Applicant sincerely believes that currently amended claim 17, along with dependent claims 18 and 19, is not taught or suggested in the '389 Barton patent and, therefore, respectfully request reconsideration of the rejection.

New claim 20 is directed toward a method of content presentation including the steps of creating a user preference profile by selecting preferences for content categories, the preference

profile being in communication with a playback controller for use in adjusting a presentation rate of a content signal; a user selecting a preferred playback rate for each of the predefined selected preferences in the user profile and storing the user preference profile and the selected playback rates; receiving a content signal from a content source; deriving a content indicator from a content analysis of the content signal, the content indicator identifying at least one of the user profile preferences of the predefined content categories; and automatically adjusting the presentation rate of the content signal by the playback controller in response to the content indicator identification.

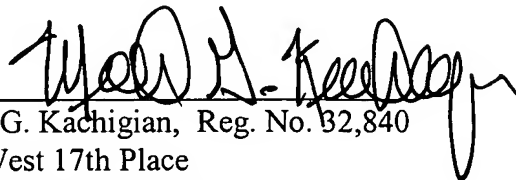
There is no teaching or suggestion in the Barton '389 patent of the steps as set forth in Applicant's new claim 20.

Unless the undersigned has misinterpreted the Office Action, this amendment should place the claims in condition for allowance. If, for any reason, the claims are not in condition for allowance it is because of a mistake or a misunderstanding of the Office Action and, in such case, the Examiner is invited to call the undersigned at (918) 587-2000 so that any remaining amendments to place the application in condition for allowance can hopefully be achieved in a telephone interview. If any further charges or refunds are associated with this application, the Commissioner is hereby authorized to charge Deposit Account No. 08-1500.

Respectfully Submitted

HEAD, JOHNSON & KACHIGIAN

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